

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

In re:

MURRAY ENERGY HOLDINGS CO., *et al.*,¹

Debtors.

)
) Chapter 11
)
) Case No. 19-56885 (JEH)
)
) Judge John E. Hoffman, Jr.
)
) (Jointly Administered)
)

**NOTICE OF AGENDA FOR HEARING ON
MATTERS SCHEDULED FOR JANUARY 9, 2020**

Time and Date of Hearing: January 9, 2020, at 10:00 a.m. (prevailing Eastern Time)

Location of Hearing: The Honorable John E. Hoffman, Jr.
United States Bankruptcy Court for the Southern District of Ohio
Courtroom A, 5th Floor, 170 North High Street, Columbus,
Ohio 43215

**Any party who wishes to attend telephonically is required to make arrangements
through CourtSolutions by telephone (917-746-7476).**

I. UNCONTESTED MATTERS

1. Debtors' Motion for Entry of an Order (I) Authorizing the Debtors to Enter into and Perform Under the Stalking Horse Purchase Agreement, (II) Approving the Bidding Procedures in Connection with the Sale of all or Substantially all of the Debtors' Assets, (III) Approving the Procedures for the Assumption and Assignment of Executory Contracts and Unexpired Leases, and (IV) Granting Related Relief [Docket No. 326].

¹ Due to the large number of Debtors in these chapter 11 cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. Such information may be obtained on the website of the Debtors' claims and noticing agent at <https://cases.primeclerk.com/MurrayEnergy>. The location of Debtor Murray Energy Holdings Co.'s principal place of business and the Debtors' service address in these chapter 11 cases is 46226 National Road, St. Clairsville, Ohio 43950.

Responses Received:

- A. Informal comments from (i) the Official Committee of Unsecured Creditors (the “UCC”), (ii) the United Mine Workers of America (the “UMWA”), (iii) the UMWA 1974 Pension Plan and Trust, UMWA 1992 Benefit Plan, UMWA 1993 Benefit Plan, and UMWA 1988 Cash Deferred Savings Plan, (iv) CONSOL Energy Inc. and its affiliates, and (v) various federal and state regulatory agencies.
- B. Black Diamond Commercial Finance L.L.C.’s Objection to Debtors’ Motion for Entry of an Order (I) Authorizing the Debtors to Enter into and Perform Under the Stalking Horse Purchase Agreement, (II) Approving the Bidding Procedures in Connection with the Sale of all or Substantially all of the Debtors’ Assets, (III) Approving the Procedures for the Assumption and Assignment of Executory Contracts and Unexpired Leases, and (IV) Granting Related Relief [Docket No. 699].
- C. GLAS Trust Company LLC’s Reply in Support of Bidding Procedures Motion [Docket No. 717].
- D. Reply of Ad Hoc Group of Superpriority Lenders in Support of Debtors’ Motion for Entry of an Order (I) Authorizing the Debtors to Enter into and Perform Under the Stalking Horse Purchase Agreement, (II) Approving the Bidding Procedures in Connection with the Sale of All or Substantially All of the Debtors’ Assets, (III) Approving the Procedures for the Assumption and Assignment of Executory Contracts and Unexpired Leases, and (IV) Granting Related Relief [Docket No. 718].
- E. Debtors’ Reply in Support of Debtors’ Motion for Entry of an Order (I) Authorizing the Debtors to Enter into and Perform Under the Stalking Horse Purchase Agreement, (II) Approving the Bidding Procedures in Connection with the Sale of All or Substantially All of the Debtors’ Assets, (III) Approving the Procedures for the Assumption and Assignment of Executory [Docket No. 719].
- F. Statement of Official Committee of Unsecured Creditors Regarding Bidding Procedures Motion [Docket No. 724].

Related Documents:

- A. Notice of Debtors’ Motion for Entry of an Order (I) Authorizing the Debtors to Enter into and Perform Under the Stalking Horse Purchase Agreement, (II) Approving the Bidding Procedures in Connection with the Sale of all or Substantially all of the Debtors’ Assets, (III) Approving the Procedures for the Assumption and Assignment of Executory Contracts and Unexpired Leases, and (IV) Granting Related Relief [Docket No. 327].
- B. Certificate of Service of Motion and Notice [Docket No. 371].

- C. Agreed Order Setting Deadline for filing Witness and Exhibit Lists Prior to January 9, 2020 Hearing (Related to Docket No. 326) [Docket No. 727].
- D. Notice of Filing of Revised Proposed Order [Docket No. 731].

Status: This matter is going forward on an uncontested basis for purposes of presenting the proposed form of order.

- 2. Debtors' Motion for Entry of an Order (I) Setting Bar Dates for Submitting Proofs of Claim, (II) Approving Procedures for Submitting Proofs of Claim, (III) Approving Notice Thereof, and (IV) Granting Related Relief [Docket No. 676].

Responses Received:

- A. Informal comments from the Office of the United States Trustee (the "U.S. Trustee"), the UCC, the Department of Justice, ACE American Insurance Company, and Federal Insurance Company.

Related Documents:

- A. Notice of Debtors' Motion for Entry of an Order (I) Setting Bar Dates for Submitting Proofs of Claim, (II) Approving Procedures for Submitting Proofs of Claim, (III) Approving Notice Thereof, and (IV) Granting Related Relief [Docket No. 677].
- B. Certificate of Service of Motion and Notice [Docket No. 700].
- C. Certificate of No Objection Regarding Debtors' Motion for Entry of an Order (I) Setting Bar Dates for Submitting Proofs of Claim, (II) Approving Procedures for Submitting Proofs of Claim, (III) Approving Notice Thereof, and (IV) Granting Related Relief, and Notice of Filing of New Proposed Form of Order [Docket No. 711].

Status: If not entered prior to the hearing, this matter is going forward on an uncontested basis for purposes of presenting the proposed form of order.

- 3. Debtors' Motion for Entry of an Order (I) Approving Procedures for Settling Certain De Minimis Claims and Causes of Action Brought By or Against the Debtors, and (II) Granting Related Relief [Docket No. 689].

Responses Received:

- A. Informal comments from the UCC and one of the Debtors' insurers.

Related Documents:

- A. Notice of Debtors' Motion for Entry of an Order (I) Approving Procedures for Settling Certain De Minimis Claims and Causes of Action Brought By or Against the Debtors, and (II) Granting Related Relief [Docket No. 690].
- B. Certificate of Service of Motion and Notice [Docket No. 696].
- C. Certificate of No Objection Regarding Debtors' Motion for Entry of an Order (I) Approving Procedures for Settling Certain De Minimis Claims and Causes of Action Brought By or Against the Debtors, and (II) Granting Related Relief [Docket No. 707].

Status: If not entered prior to the hearing, this matter is going forward on an uncontested basis for purposes of presenting the proposed form of order.

- 4. Application for Entry of an Order Authorizing the Retention and Employment of Morrison & Foerster LLP as Counsel to the Official Committee of Unsecured Creditors *Nunc Pro Tunc* to November 7, 2019 [Docket No. 353].

Responses Received:

- A. Informal comments from the U.S. Trustee.

Related Documents:

- A. Notice of Application for Entry of an Order Authorizing the Retention and Employment of Morrison & Foerster LLP as Counsel to the Official Committee of Unsecured Creditors *Nunc Pro Tunc* to November 7, 2019 [Docket No. 354].
- B. Certificate of Service of Application and Notice [Docket No. 356].
- C. Amended Notice of Application for Entry of an Order Authorizing the Retention and Employment of Morrison & Foerster LLP as Counsel to the Official Committee of Unsecured Creditors *Nunc Pro Tunc* to November 7, 2019 [Docket No. 392].
- D. Certificate of Service of Amended Notice [Docket No. 427].
- E. Certificate of No Objection Regarding Application for Entry of an Order Authorizing the Retention and Employment of Morrison & Foerster LLP as Counsel to the Official Committee of Unsecured Creditors *Nunc Pro Tunc* to November 7, 2019 [Docket No. 703].
 - i. Certificate of Service [Docket No. 720].

Status: If not entered prior to the hearing, this matter is going forward on an uncontested basis for purposes of presenting the proposed form of order.

5. Application for Entry of an Order Authorizing the Official Committee of Unsecured Creditors to Retain and Employ Vorys, Sater, Seymour and Pease LLP as Local Counsel *Nunc Pro Tunc* to November 11, 2019 [Docket No. 390].

Responses Received:

- A. Informal comments from the U.S. Trustee.

Related Documents:

- A. Application for Entry of an Order Authorizing the Official Committee of Unsecured Creditors to Retain and Employ Vorys, Sater, Seymour and Pease LLP as Local Counsel *Nunc Pro Tunc* to November 11, 2019 [Docket No. 390].
- B. Certificate of Service of Application and Notice [Docket No. 427].
- C. Supplemental Declaration of Tiffany Strelow Cobb in Support of Application for Entry of an Order Authorizing the Official Committee of Unsecured Creditors to Retain and Employ Vorys, Sater, Seymour and Pease LLP as Local Counsel *Nunc Pro Tunc* to November 11, 2019 [Docket No. 697].
- D. Certificate of No Objection Regarding Application for Entry of an Order Authorizing the Official Committee of Unsecured Creditors to Retain and Employ Vorys, Sater, Seymour and Pease LLP as Local Counsel *Nunc Pro Tunc* to November 11, 2019 [Docket No. 705].
- i. Certificate of Service [Docket No. 720].

Status: If not entered prior to the hearing, this matter is going forward on an uncontested basis for purposes of presenting the proposed form of order.

6. Application of the Official Committee of Unsecured Creditors for Entry of an Order (A) Authorizing the Retention and Employment of AlixPartners, LLP as its Financial Advisor *Nunc Pro Tunc* to November 11, 2019 [Docket No. 401].

Responses Received:

- A. Informal comments from the U.S. Trustee.

Related Documents:

- A. Notice of Application of the Official Committee of Unsecured Creditors for Entry of an Order (A) Authorizing the Retention and Employment of

AlixPartners, LLP as its Financial Advisor *Nunc Pro Tunc* to November 11, 2019 [Docket No. 402].

- B. Certificate of Service of Application and Notice [Docket No. 429].
- C. Supplemental Declaration of David MacGreevey of AlixPartners, LLP [Docket No. 698].
- D. Certificate of No Objection Regarding Application of the Official Committee of Unsecured Creditors for Entry of an Order (A) Authorizing the Retention and Employment of AlixPartners, LLP as its Financial Advisor *Nunc Pro Tunc* to November 11, 2019 [Docket No. 704].
 - i. Certificate of Service [Docket No. 720].

Status: If not entered prior to the hearing, this matter is going forward on an uncontested basis for purposes of presenting the proposed form of order.

II. CONTINUED MATTERS

- 7. Application of the Official Committee of Unsecured Creditors for Entry of an Order (A) Authorizing the Retention and Employment of Moelis & Company LLC as Investment Banker for the Committee *Nunc Pro Tunc* to November 11, 2019, (B) Waiving Certain Time-Keeping Requirements, and (C) Granting Related Relief [Docket No. 399].

Responses Received:

- A. Informal comments from the Debtors and U.S. Trustee.

Related Documents:

- A. Notice of Application of the Official Committee of Unsecured Creditors for Entry of an Order (A) Authorizing the Retention and Employment of Moelis & Company LLC as Investment Banker for the Committee *Nunc Pro Tunc* to November 11, 2019, (B) Waiving Certain Time-Keeping Requirements, and (C) Granting Related Relief [Docket No. 400].
- B. Certificate of Service of Application and Notice [Docket No. 428].
- C. Agreed Order Continuing Hearing on the Application of Official Committee of Unsecured Creditors for Entry of an Order (A) Authorizing the Retention and Employment of Moelis & Company LLC as Investment Banker for the Committee, *Nunc Pro Tunc* to November 11, 2019, (B) Waiving Certain Time-Keeping Requirements [Docket No. 729].

Status: This matter is continued to a hearing scheduled on January 16, 2020, at 10:30 a.m. (prevailing Eastern Time).

Dated: January 7, 2020
Cincinnati, Ohio

/s/ Kim Martin Lewis

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